

REMARKS

In response to the restriction requirement, Applicants cancel Claims 9-13 and elect to prosecute Claims 1-8, but traverse the restriction requirement with respect to Claims 14-17. Applicants reserve the right to prosecute the non-elected claims in one or more divisional applications. Furthermore, Applicants have added additional dependent Claims 18 and 19 and submit that no new matter has been added and support may be found for example in Fig. 1 and the corresponding text. Therefore, upon entry of this amendment with successful traverse, Claims 1-8 and 14-19 are pending.

Applicants respectfully traverse the restriction requirement with respect to Claims 14-17. Examiner cites MPEP § 806.05(e) with respect to Claims 1-8 (Invention I) and Claims 14-17 (Invention III), but argues that "the memory array in Invention II [rather than citing Invention I] can be read by other method (i.e., read/write simultaneously) than that reading method claimed in Invention III" (office action pgs. 2-3). Thus, Applicants submit that Examiner has not set forth reasonable examples that recite material differences between Inventions I and III as required by MPEP § 806.05(e).

Applicants respectfully submit that neither prong of MPEP § 806.05(e) is satisfied as (1) the process cannot be practiced by another materially different apparatus or by hand

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than Invention I and (2) the apparatus cannot be used to practice another and materially different process than Invention III. Applicants note that Claims 1-8 are directed to a sense amplifier circuit having similar particulars to those found in Claims 14-17 directed to a method of reading data from data lines. Therefore, Claims 1-8 and Claims 14-17 would require the same identical search and general classification. Consequently, as these inventions are not distinct and neither prong of MPEP § 806.05(e) is satisfied, Applicants respectfully submit that the restriction requirement is improper and request that the restriction be withdrawn and a timely examination performed.

If there are any questions regarding any aspect of the application, please call the undersigned at (949) 752-7040.

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I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Fax No. 571-273-8300 on the date stated below.

  
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Respectfully submitted,



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